

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No: 5:05-CR-00001-BR

UNITED STATES OF AMERICA

v.

KEVIN D. BROWN,

Defendant.

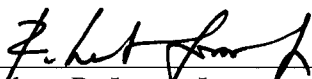
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ORDER

This matter is before the court on the motion of Defendant to obtain without payment of fees a copy of his “Judgment in Commitment.” [DE-174]. Because there is no constitutional requirement that the government provide an indigent defendant with free transcripts or other court documents in order to collaterally attack a conviction or sentence, the defendant must show a “particularized need” for the documents. *Morin v. United States*, 522 F.2d 8, 9 (4th Cir. 1975) (citing *Jones v. Superintendent, Va. State Farm*, 460 F.2d 150, 152-53 (4th Cir. 1972)). Defendant does not assert why he needs a copy of the judgment in this case and, thus, has not asserted the requisite particularized need for the requested document at this time. Furthermore, although Defendant’s motion to vacate, pursuant to 28 U.S.C. § 2255, is currently pending before the court [DE-165], the Federal Public Defender has entered an appearance for the limited purpose of providing representation related to Standing Order 15-SO-02 [DE-157], and the matter has been placed in abeyance pending the Fourth Circuit decisions in *United States v. Walker*, No. 15-4301 (4th Cir. 2016), and *United States v. Simms*, No. 15-4640 (4th Cir. 2016) [DE-173]. Thus, it is not apparent from the record why Defendant needs a copy of the requested document at this time. Accordingly,

Defendant's motion is denied.

SO ORDERED, this 17th day of January 2017.



Robert B. Jones, Jr.
United States Magistrate Judge